

R E M A R K S

By this Amendment the specification has been further amended for improved presentation, claim 1 has been amended to include the steps of claim 2 (now canceled), claims 3 and 4 have been amended relative to their dependencies, and claims 8-11 have been canceled (without prejudice to presentation in a future continuation application). Entry is requested.

In the final outstanding Office Action of January 12, 2010, the examiner rejected claims 2-5 and 7 under 35 U.S.C. 103(a) as being unpatentable over Krokstad et al. in view Arcos et al. The examiner asserts that, based on Arcos et al. (col. 3, lines 23-53), it would be obvious to determine short term signal energy in Krokstad et al. for the purpose of integrating the microphone signals.

This conclusion is completely without merit. Krokstad et al. mention the possible touching of a control keypad SW on a hearing aid by the user to access a new set of parameters for a specific response function from the memory RAM 2 in the control section of the hearing aid for input to the DSP. However, nothing disclosed in column 3, lines 23-53 in Arcos et al. would have any relevance to this disclosure in Krokstad et al. No possible combination of Krokstad et al. and Arcos et al. could make obvious the steps of amended claim 1.

A prompt allowance is requested.

Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read 'R. H. Tushin', written over a horizontal line.

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